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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,253	11/01/2001	Charles G. Williamson	09741620/0209	8330

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EXAMINER

PARDO, THUY N

ART UNIT PAPER NUMBER

2165

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/001,253	<b>Applicant(s)</b> WILLIAMSON, CHARLES G.	
	<b>Examiner</b> Thuy Pardo	<b>Art Unit</b> 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-28,30-43 and 45-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-28,30-43 and 45-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>16 Jan 2005</u> . | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. Applicant's Amendment and IDS filed on January 16, 2005 in response to Examiner's Office Action have been reviewed. Claims 1, 16, 27 and 42 have been amended and claims 3, 29 and 44 have been canceled.

2. Claims 1-56 are presented for examination.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koether US Patent No. 5,875 in view of Daum et al. (Hereinafter "Daum") US Patent Application Publication No. 2003/0109938.

As to claim 1, Koether teaches the invention substantially as claimed, comprising:

inputting a plurality of data associated with the user in a database on a server [col. 9, lines 7-43; col. 10, lines 36-44; col. 11, lines 24-47];

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accessing over a first network the database from an intelligent controller [communication controller, 215 of fig. 3];

receiving the plurality of data from the database at the intelligent controller [fig. 3; col. 6, lines 47-50];

transmitting over a home network a portion of data from the plurality of data to each appliance in the household appliance network [communication, such as: cooking parameters, billing information, appliance identification, diagnostic information, and maintenance instructions...etc, between kitchen base stations and the control center, see fig. 1; col. 5, lines 20-39], and

configuring each appliance in the household appliance network in response to the portion of data that was received at each appliance [col. 12, lines 27 to col. 13, lines 20].

Koether does not explicitly teach applying the method for programming intelligent household appliance network associated with the user over the Internet although Koether provides a bi-directional communication network online [col. 13, lines 24-26].

Daum teaches Internet enable appliance command structure between the source and the appliance [see the abstract].

Therefore, it would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to add the feature of Daum to the system of Koether as an essential means to expand the household appliance network in the Internet.

As to claim 2, Koether and Daum teach the invention substantially as claimed. Koether further teaches accessing a graphical interface associated with at least one appliance in the

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household appliance network and entering at least one piece of data requested by the graphical interface [col. 6, lines 33-46; col. 10, lines 1-22].

As to claim 4, Koether and Daum teach the invention substantially as claimed. Koether further teaches accessing the graphical interface that is associated with a microwave oven [col. 4, lines 30-36].

As to claim 5, Koether and Daum teach the invention substantially as claimed. Koether further accessing the graphical interface that is associated an oven [col. 4, lines 22-36; fig. 1].

As to claim 6, Koether and Daum teach the invention substantially as claimed. Koether further teaches accessing the graphical interface that is associated with a breadmaker [col. 4, lines 22-36; fig. 1].

As to claim 7, Koether and Daum teach the invention substantially as claimed. Koether further accessing the graphical interface that is associated with a coffeemaker [col. 4, lines 22-36; fig. 1].

As to claim 8, Koether and Daum teach the invention substantially as claimed. Koether further teaches entering a day of week in the graphical interface; and entering a time during the day of week in the graphical interface that the coffeemaker will be turned on [col. 12, lines 55-64].

As to claim 9, Koether and Daum teach the invention substantially as claimed. Koether further teaches synchronizing a clock in the intelligent controller upon receipt of a time message over the first network and identification of the time zone and transmitting a time synchronization signal over the home network to the appliances to synchronize a clock in each of the appliances [col. 12, lines 27 to col. 13, lines 26].

As to claim 10, Koether and Daum teach the invention substantially as claimed. Koether further teaches synchronizing a clock in the intelligent controller upon receipt of a time message over the first network, and displaying on a display in the intelligent controller a human perceptible time indicator [col. 10, lines 1-61].

As to claim 11, Koether and Daum teach the invention substantially as claimed. Koether further teaches receiving at an appliance it the household appliance network a plurality of recipe programs in the portion of data and storing the plurality of recipe programs in a memory located in the appliance [col. 3, lines 5-12].

As to claim 12, Koether and Daum teach the invention substantially as claimed. Koether further teaches converting a code that is scanned by a bar code reader into a digital signal at the appliance; selecting a recipe program from the plurality of recipe programs associated with the digital signal [col. 6, lines 61 to col. 7, lines 15; and configuring the appliance in accordance with the recipe program [col. 11, lines 53-61].

As to claim 13, Koether and Daum teach the invention substantially as claimed. Koether further teaches converting a code that is scanned by a bar code reader into a digital signal at the appliance determining that none of the recipe programs in memory are associated with the digital signal and transmitting to the intelligent controller the digital signal over the home network [col. 5, lines 20-35].

As to claim 14, Koether and Daum teach the invention substantially as claimed. Koether further teaches transmitting the digital signal from the intelligent controller to the server over the first network; and receiving from the server a new program recipe for the appliance associated with the digital signal [col. 5, lines 20-35].

As to claim 15, Koether and Daum teach the invention substantially as claimed. Koether further teaches signaling from the coffeemaker to the intelligent controller over the home network that the coffeemaker is in a state selected from the group consisting of not ready to brew, ready to brew, brewing, and coffee ready; and displaying on a display at the intelligent controller that the coffeemaker is in the state [col. 12, lines 26 to col. 13, lines 20].

As to claims 16 and 17, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

As to claim 18, Koether and Daum teach the invention substantially as claimed. Koether further teaches that a plurality of alarms associated with the clock are set at the intelligent controller upon receipt of the plurality of data [col. 7, lines 30-45].

As to claim 19, Koether and Daum teach the invention substantially as claimed. Koether further teaches a radio configured with a plurality of preset radio stations upon receipt of the plurality of data [col. 7, lines 30-45].

As to claim 20, Koether and Daum teach the invention substantially as claimed. Koether further teaches that a plurality of music alarms are each associated with a different day and more three or more of the plurality of music alarms are associated with an at least three different preset radio stations from the plurality of preset radio stations [col. 3, lines 50-65; col. 4, lines 13-21].

As to claims 21-26 and 42, 43, 45-56, all limitations of these claims have been addressed in the analysis above, and these claims are rejected on that basis.

Claims 27, 28, 30-41 are corresponding apparatus claims of claims 1-26; therefore, they are rejected under the same rationale.

4. Applicant's arguments with respect to claims 1, 2, 4-28, 30-43, and 45-56 have been considered but are moot in view of the new ground(s) of rejection.



***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is 571-272-4082. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at 571-272-4083.

The fax phone number for the organization where this application or proceeding is assigned are as follows: (703) 872-9306 (Official Communication)

and/or:

571-273-4082 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to then on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

**7. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-5359, (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

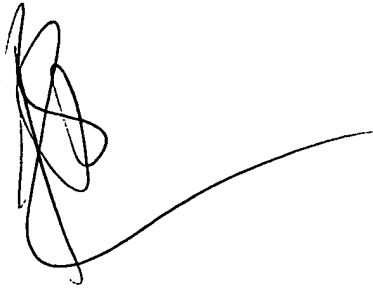
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

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April 16, 2005

A handwritten signature in black ink, consisting of a series of loops and a long, sweeping horizontal stroke extending to the right.

**THUY N. PARDO**  
**PRIMARY EXAMINER**